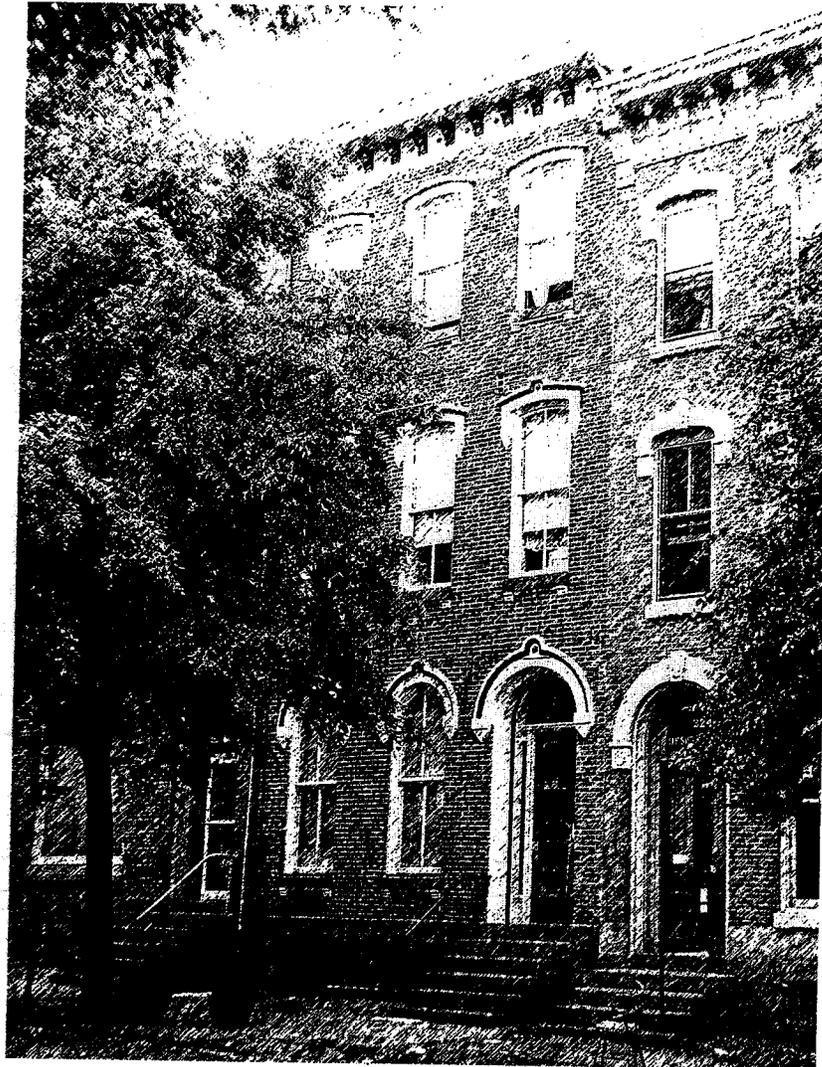


*FACADE IMPROVEMENT
GRANT PROGRAM*



COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF READING

PROGRAM DESCRIPTION

OBJECTIVES

The Facade Improvement Program provides incentives to owners of properties in all locally designated Historic Districts, Reading's Central Business District, and properties considered significant historic resources as determined by the City's Historic Preservation Officer, to rehabilitate their buildings (see Appendix III for maps of eligible areas). There are obvious aesthetic, health, and safety benefits to a neighborhood that result when buildings are rehabilitated. Such benefits add to the quality of life in the neighborhood. The Facade Improvement Program will enhance the city's neighborhood outreach efforts by contributing to these aesthetic, health, and safety benefits, and has the added advantage of offering a quantifiable benefit in the form of economic incentives.

The grant provides incentive to rehabilitate, and restore buildings to their original character, in turn stabilizing and improving neighborhoods while strengthening property values. The rehabilitated buildings located within the designated areas as stated above will encourage future investment and development, another economic benefit. The improved area will be attractive to property owners, homeowners and tenants, who will aid in the support of the local economy.

REHABILITATION STANDARDS

All projects undertaken must result in the rehabilitation of a building located in a Historic District, the designated central business district area, or a building considered a significant historical resource in the City of Reading. Rehabilitation is defined as the process of making repairs and alterations to a building while preserving those portions or features which are architecturally or historically significant. Rehabilitation of a building must also address and abate substandard building conditions as per the requirements of the City of Reading Chief Building Official or Building Inspector.

All improvements undertaken with funds from the Residential Facade Improvement Program must conform to the *United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (See Appendix I). The Standards provide guidance for retaining and preserving the historic character of a property. The Standards require that existing historical and/or architectural features that are important in defining the historic character of a structure be retained and preserved or restored. Improvements that will adversely affect a building's historic character are not eligible.

To assure that these Standards are met, all rehabilitation undertaken with Facade Improvement Program grant funds will be reviewed by the staff of the Community Development Department. Improvements made to buildings located within the boundaries of locally designated Historic Districts, also require review by the Reading Board of Historical and Architectural Review before a façade improvement project is undertaken.

ELIGIBILITY/CRITERIA

Properties located in the designated areas as listed in the beginning of the grant application, which meet the following criteria, are eligible for Façade Improvement Program funds. The criteria are:

- 1) Available to all privately-owned residential and non-residential structures within locally designated historic districts, the designated Central Business District, and buildings considered a significant historic resource within the City of Reading.
- 2) All projects must involve a restoration and/or a rehabilitation of an exterior façade in accordance with *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (See Appendix I).
- 3) All building facades are eligible for exterior improvements under the Façade Improvement Program.
- 4) The applicant's building must meet a basic conditions test (as executed by Community Development Department Staff) which will assure that the building systems, such as the plumbing, electricity, roof and foundation are not faulty, damaged, or otherwise not in proper working order. Repairs, such as roof replacement, may be eligible if they are part of a restoration and/or rehabilitation effort. All building interiors and exteriors will be inspected for code compliance. The property owner will be responsible for all repairs necessary to bring the interior to code compliance prior to the commencement of exterior improvements. All exterior code violations will be addressed as part of the façade improvement project.
- 5) The scope of improvements, once completed, must make a positive and significant contribution to the streetscape.
- 6) A structure is only eligible for a Façade Improvement Grant one time.
- 7) A property owner is not eligible to receive grant funds to undertake work on his own property, even if the property owner is a licensed contractor.

DESIGN GUIDELINES

- 1) The criteria for proposed projects will be based on *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, (see Appendix I) a copy of which is located in the Planning Office, Room 3-03, Reading City Hall, 815 Washington Street, Reading, Pennsylvania. Particular reference is made to pages 6-7 of these standards.
- 2) Changes to the façade of the buildings will not remove, alter, damage or cover up significant architectural features of the building which are original or which reflect a major alteration that is itself architecturally coherent, or which help create a unified and attractive appearance to the building.
- 3) Changes to the façade of buildings will either; 1. Partially or fully restore to the appearance of the building based on actual evidence, including photographs, written documentation, data on the building or site or other data, or 2. Represent a modern treatment which blends into and is compatible with the building and adjoining buildings.

treatment which blends into and is compatible with the building and adjoining buildings.

- 4) In general, Community Development Department Staff will encourage repair and preservation of existing features of facades, unless alteration to these facades has resulted in an incoherent, unattractive or inharmonious appearance. While encouraging correction of such alteration, staff will advocate minimal alterations of significant architectural features.
- 5) For facades which have previously been substantially altered and for which a modern treatment is chosen, such a treatment will conform with the features, materials, rhythms, color and general appearance of the building and those adjoining, particularly if the building is one in a row of buildings with identical or similar design features.
- 6) Awnings and signs may be eligible expenses under program guidelines, as long as they are part of a façade restoration. The size, color and shape of a sign should complement the building and add to the historic character of the streetscape.
- 7) Roofs may be repaired or replaced as long as they are part of a façade restoration.
- 8) The surface cleaning of structures will be undertaken with the gentlest of means possible. Cleaning methods that may damage the historic building materials, particularly sandblasting, shall not be undertaken.
- 9) Contractors undertaking residential façade improvement projects where the painting of exterior surfaces will occur will be required to follow lead paint safe work practices.
- 10) Residential properties, where painting of exterior surfaces are undertaken as part of a façade improvement project, will be required to undergo a lead based paint clearance inspection at the completion of the project. The cost of the inspection will be paid for by the City of Reading.

FUNDING

The Facade Improvement Program will be funded with an allocation from the City of Reading Community Development Block Grant. Facade improvement grants can be used to cover construction expenses, such as labor and material costs, which directly relate to and result in facade improvements. Any other costs are the responsibility of the applicant.

COMMERCIAL STRUCTURES

Funding for commercial structures is provided in the form of a 50/50 matching grant up to a maximum grant of \$20,000.00. For multiple contiguous facades the maximum grant will be \$20,000.00. Structures undergoing a commercial façade improvement project must comply with the Davis Bacon Prevailing Wage Act. (See Appendix II) A checklist of items that contractors are required to properly complete and submit under the Davis Bacon Prevailing Wage Act is also included. The applicant's match commitment must be in the form of cash for the work being undertaken as part of the façade improvement project.

RESIDENTIAL STRUCTURES

Funding is provided in the form of a 50/50 matching grant up to a maximum grant of \$5,000.00. Davis Bacon Prevailing Wage Rates apply to residential structures containing eight housing units or more. The applicant's match commitment must be in the form of cash for the work being undertaken as part of the façade improvement project. Code violations on the exterior must be addressed before less critical work can be undertaken. A health and safety inspection of the building's interior will be required to address code violations and the interior must be code compliant before the façade improvement project can begin.

APPLICATION PROCESS

Step 1: All interested property owners/applicants will contact the Community Development Department to discuss the proposed façade improvement project with Historic Preservation Officer. The Historic Preservation Officer will review the program, the application process, and answer any questions about the program.

Step 2: A site visit will be arranged between the Community Development Department rehabilitation specialists and the property owner to undertake an interior inspection of the building, when necessary, and to develop specifications for the facade improvement. Staff will inspect the property to ensure that building systems meet code requirements. The staff will then make recommendations for the needed repairs and the scope of the rehabilitation. A property condition survey and Codes inspection will be undertaken at this time.

Step 3: If it is determined that there are interior code violations in a residential property, the violations must be brought into compliance before the exterior façade specifications are developed.

Step 4: Plans and specifications for properties within a locally designated historic district must be reviewed by the Reading Board of Historical and Architectural Review (HARB) in accordance with the City's Historic District Ordinance. Once the designs have been approved by the HARB, the proposed improvements can be released for bid.

Step 5: Plans and specifications for exterior façade improvements will be released for bid to at least two contractors, licensed with the City of Reading, of the property owner's choice. A property owner is not eligible to receive grant funds to undertake work on his own property, even if the property owner is a licensed contractor. Each bid must include the entire scope of work proposed in the specifications, as developed by the Rehabilitation Specialist, and include Davis Bacon Wage rates if applicable.

Step 6: The completed application, along with the project specifications, two acceptable bids, two photographs of the property, and a copy of the deed to the property must be submitted to the Community Development Department. The staff will then review the bids. If costs vary by more than 10% from staff estimates, the city may request that other bids be obtained. A non-refundable application fee of \$100.00 must accompany Commercial Façade Improvement Grant

Program applications. There is no application fee for residential structures. Applications will be reviewed on a first come, first serve basis.

Step 7: Upon approval of the application by the Community Development Department Director, the licensed contractor submitting the lowest acceptable bid will be selected. (The contractor shall be licensed with the City of Reading.)

Step 8: The applicant enters into a contract with the low bidder for the improvements which are to be completed within six (6) months. The staff will review the contract between the property owner and the licensed contractor to assure that it is accurate and complete, will cover the full scope of improvements, and complies with any applicable federal regulations for hiring, wage scales, workers compensation, and insurance/liability coverage.

Step 9: A Grant Contract between the property owner and the City will be executed and signed by the Community Development Department Director and the property owner. Work on the project must begin within thirty days of the signing of the contract (weather permitting). All necessary building permits must be obtained from the Office of Codes Services before work commences. Work must be completed within six months of the starting date. Disbursement of grant funds will not be made until the work is completed and has passed inspection by both the city staff and the property owner. On a case by case basis, periodic draws for commercial façade projects may be approved by the Community Development Department Director.

Step 10: The final disbursement of funds will not be made until the work is completed and has passed an inspection by both the City staff and the applicant. Once the completed work is approved, all required Davis Bacon Act paperwork (for commercial properties), and an invoice from the contractor stating that the property owner has paid their portion of the project, as set forth in the grant agreement, must be submitted to City Staff. The City will then disburse grant funds to the property owner. The property owner will in turn, disburse the grant funds to the contractor.

Inquiries should be directed to:

**THE FAÇADE IMPROVEMENT PROGRAM
COMMUNITY DEVELOPMENT DEPARTMENT
THIRD FLOOR
CITY HALL
815 WASHINGTON STREET
READING, PA 19601-3690
(610) 655-6414 or (610) 655-6236
fax: (610) 373-2858
tdd: (610) 655-6442**

FACADE IMPROVEMENT PROGRAM APPLICATION

ADDRESS OF PROJECT SITE: _____

PROPERTY OWNER: _____

PROPERTY OWNER ADDRESS: _____

DAYTIME PHONE NUMBER: _____

SCOPE OF PROJECT:

1. Is the property: Commercial _____ or Residential _____

2. Is the property located within a historic district? Yes _____ No _____

If yes please check the appropriate historic district (see maps in Appendix V):

Callowhill _____ Centre Park _____ Prince _____

Penn's Common _____

3. Is this facade improvement part of a larger overall renovation project to the building?

Yes _____ No _____

If yes, are there any public funds involved and what are the sources?

7. For commercial buildings, are any changes to the current signage anticipated?

Yes _____ No _____

If yes, please briefly explain the proposed changes.

PROJECT COST:

TOTAL PROJECT COST \$ _____

CITY GRANT FUNDING REQUESTED \$ _____

PROPERTY OWNER'S CONTRIBUTION \$ _____

REQUIRED ATTACHMENTS:

The following items must be included as Exhibits attached to the completed Application, as applicable:

1. ___ A copy of the property's deed/lease.

2. ___ A completed Certificate of Appropriateness application for properties located in a locally designated historic district. If the property is located in one of the City's Historic Districts, you must meet with the City's Historic Preservation Specialist and obtain approval of the project through the Historical Architectural Review Board.

3. ___ Plans or sketches of the proposed facade improvements.

4. ___ Two (2) current photos of the facade(s) to be improved.

5. ___ A project description and two (2) cost estimates from two different contractors for the same scope of work to be completed under this project.

For Commercial Façade Projects:

6. ___ \$100.00 non-refundable application fee, made payable to the City of Reading.

I (we) certify that all information contained in this application is true and correct in all material aspects to the best of my (our) knowledge. I (we) do hereby give permission and consent to the City of Reading to conduct a credit check, title search or any other activities it deems necessary and appropriate for the proper evaluation and consideration of this application; I (we) furthermore agree to abide by all Facade Improvement Program guidelines (a copy of which is hereby acknowledged as being received) and policies as the City of Reading may establish, as well as compliance with all codes and regulations of the City, State and Federal governments, as applicable.

If this is a Commercial Façade Improvement project, I (we) understand this application is not official until a non-refundable deposit is made in the amount of One Hundred Dollars and No Cents (\$100.00).

APPLICANT: _____ DATE: _____

APPLICANT: _____ DATE: _____

FOR OFFICIAL USE ONLY:

- Type of façade project to be undertaken:

___ Commercial

___ Residential

- If project to be undertaken is located in a Historic District:

Date of HARB review: _____

Appendix I -- The Secretary of the Interior's Standards for Rehabilitation

The following Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural features from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Appendix II -- Davis-Bacon Labor Standards

The grant funds used by the City of Reading for the Facade Improvement Program are not local tax dollars. They are instead, federal funds from the Community Development Block Grant Program of the United States Department of Housing and Urban Development.

Because these funds are federal dollars, an important federal government provision must be met. The Labor Standards Provision of the Davis-Bacon Act states that all workers on federal or federally-related projects must be paid the prevailing wage rate in that labor market. Therefore, any new construction and/or rehabilitation project costing \$2,000.00 or more must comply with the Davis-Bacon Act. Contractor and subcontractor bids must be based on the prevailing wage rates.

The Labor Standards Provision is easily incorporated into the Facade Improvement Program. The City will supply sample wage rates to those bidding contractors requesting the samples. An individual U.S. Department of Housing and Urban Development wage decision will be rendered prior to the start of each facade improvement project.

When the contractor is selected for a project, the contractor must contact the City's Labor Compliance Officer, at (610) 655-6423, to schedule a pre-construction meeting for Davis-Bacon compliance and labor compliance regulations before any work is started on the project.

Please see the attached form HUD-4010(07/2003) Federal Labor Standards Provisions and checklist of items that contractors are required to complete for funding.

Federal Labor Standards Provisions

U.S. Department of Housing
and Urban Development
Office of Labor Relations

Applicability

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) Minimum Wages. All laborers and mechanics employed or working upon the site of the work will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5.5(a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(b) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where

appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB control number 1215-0140.)

(c) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

(d) The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

2. Withholding. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part

of the wages required by the contract, HUD or its designee may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased. HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. The Comptroller General shall make such disbursements in the case of direct Davis-Bacon Act contracts.

3. (i) Payrolls and basic records. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5 (a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in Section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (Approved by the Office of Management and Budget under OMB Control Numbers 1215-0140 and 1215-0017.)

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i). This information may be submitted in any form desired. Optional Form WH-347 is available for this purpose and may be purchased from the Superintendent of Documents (Federal Stock Number 029-005-00014-1), U.S. Government Printing Office, Washington, DC 20402. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. (Approved by the Office of Management and Budget under OMB Control Number 1215-0149.)

(b) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be maintained under 29 CFR 5.5 (a)(3)(i) and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll

period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR Part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(c) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by subparagraph A.3.(ii)(b).

(d) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under subparagraph A.3.(i) available for inspection, copying, or transcription by authorized representatives of HUD or its designee or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, HUD or its designee may, after written notice to the contractor, sponsor, applicant or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and Trainees.

(i) **Apprentices.** Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the

journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 3 which are incorporated by reference in this contract

6. Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs 1 through 11 of this paragraph A and such other clauses as HUD or its designee may by appropriate instructions require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.

7. Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U.S. Department of Labor, or the employees or their representatives.

10. (i) Certification of Eligibility. By entering into this contract the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001. Additionally, U.S. Criminal Code, Section 1010, Title 18, U.S.C., "Federal Housing Administration transactions", provides in part: "Whoever, for the purpose of . . . influencing in any way the action of such Administration . . . makes, utters or publishes any statement knowing the same to be false . . . shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

11. Complaints, Proceedings, or Testimony by Employees. No laborer or mechanic to whom the wage, salary, or other labor standards provisions of this Contract are applicable shall be discharged or in any other manner discriminated against by the Contractor or any subcontractor because such employee has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify in any proceeding under or relating to the labor standards applicable under this Contract to his employer.

B. Contract Work Hours and Safety Standards Act. The provisions of this paragraph B are applicable only where the amount of the prime contract exceeds \$100,000. As used in this paragraph, the terms "laborers" and "mechanics" include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in subpara-

graph (1) of this paragraph, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (1) of this paragraph, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in sub paragraph (1) of this paragraph.

(3) Withholding for unpaid wages and liquidated damages. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contract, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act which is held by the same prime contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2) of this paragraph.

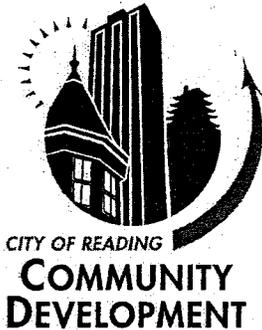
(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraph (1) through (4) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs (1) through (4) of this paragraph.

C. Health and Safety. The provisions of this paragraph C are applicable only where the amount of the prime contract exceeds \$100,000.

(1) No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.

(2) The Contractor shall comply with all regulations issued by the Secretary of Labor pursuant to Title 29 Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, 40 USC 3701 et seq.

(3) The Contractor shall include the provisions of this paragraph in every subcontract so that such provisions will be binding on each subcontractor. The Contractor shall take such action with respect to any subcontract as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.



CITY OF READING, PENNSYLVANIA

CITY HALL OFFICE 3-06
815 WASHINGTON STREET
READING, PA 19601-3690
PHONE (610) 655-6423

TO: **ALL CONTRACTORS**

FROM: Neil Nemeth, Community Development Specialist
Labor Compliance Officer

RE: Davis Bacon Prevailing Wage Act

Because of the use of federal Title 24 funding, below is a checklist of items that contractors are required to properly complete and submit in order for the CD Office to process the first payment request:

- IRS Number
- Certified Payrolls
- Certificate Appointing Officer or Employee To Supervise Payment of Employees
- Contractor or Subcontractor Certification
- Attachments I and II
- Affirmative Action Plan (for contracts over \$100,000)
- Section 3 Certification (for contracts over \$100,000)
- Section 3 Statement
- Equal Employment / Section III Questionnaire
- Construction Start Date
- Fringe Benefit Plan
- Workforce Roster
- Apprenticeship Agreements (If Apprentice's work on project)

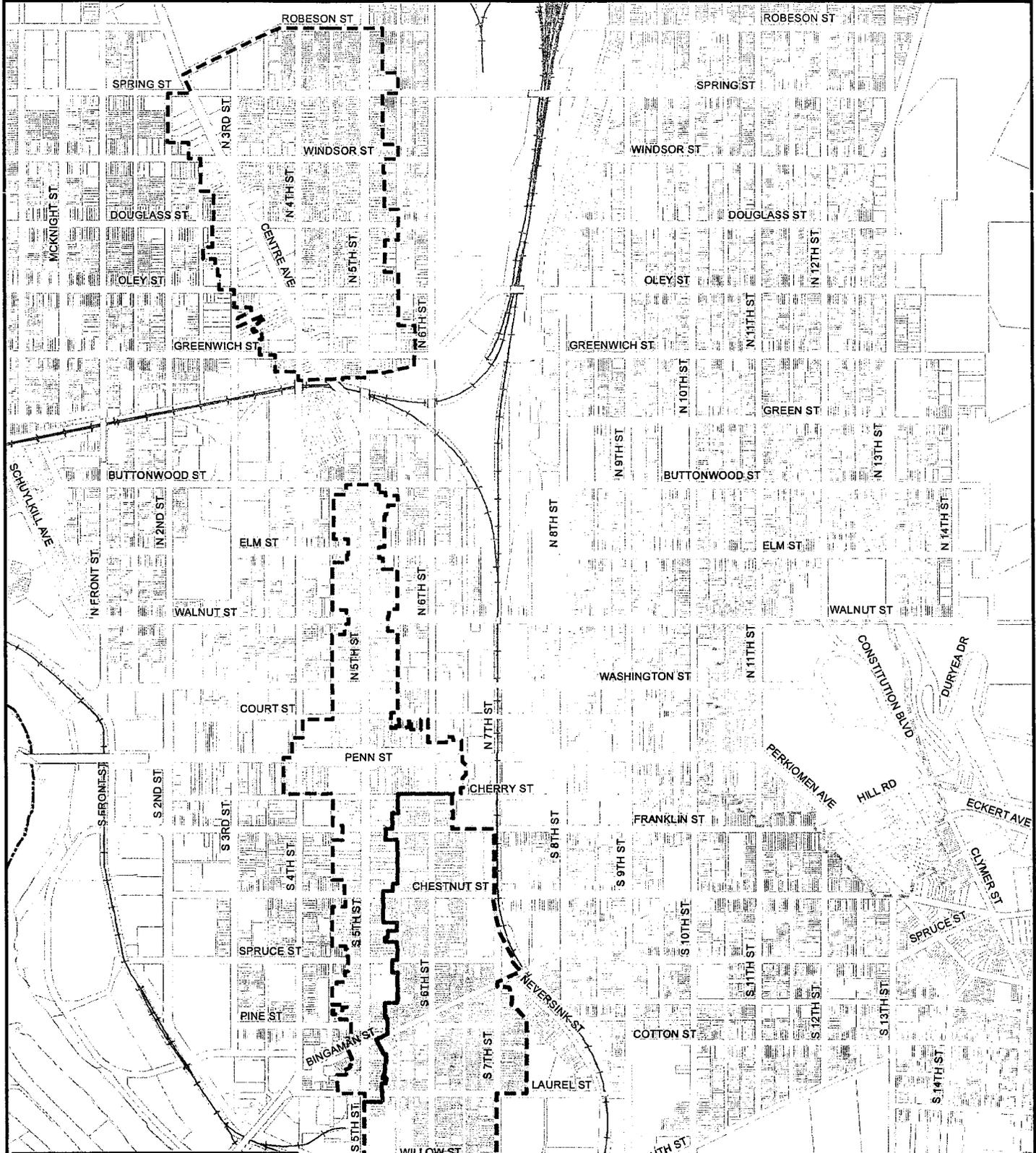
It is the **GENERAL CONTRACTOR'S** responsibility to explain, obtain and review the above documentation from their subcontractors. The Community Development Office will accept only documentation forwarded by the General Contractor.



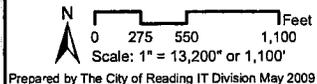
APPENDIX III

MAPS OF ELIGIBLE FAÇADE
IMPROVEMENT AREAS

City of Reading, PA - Historic Districts



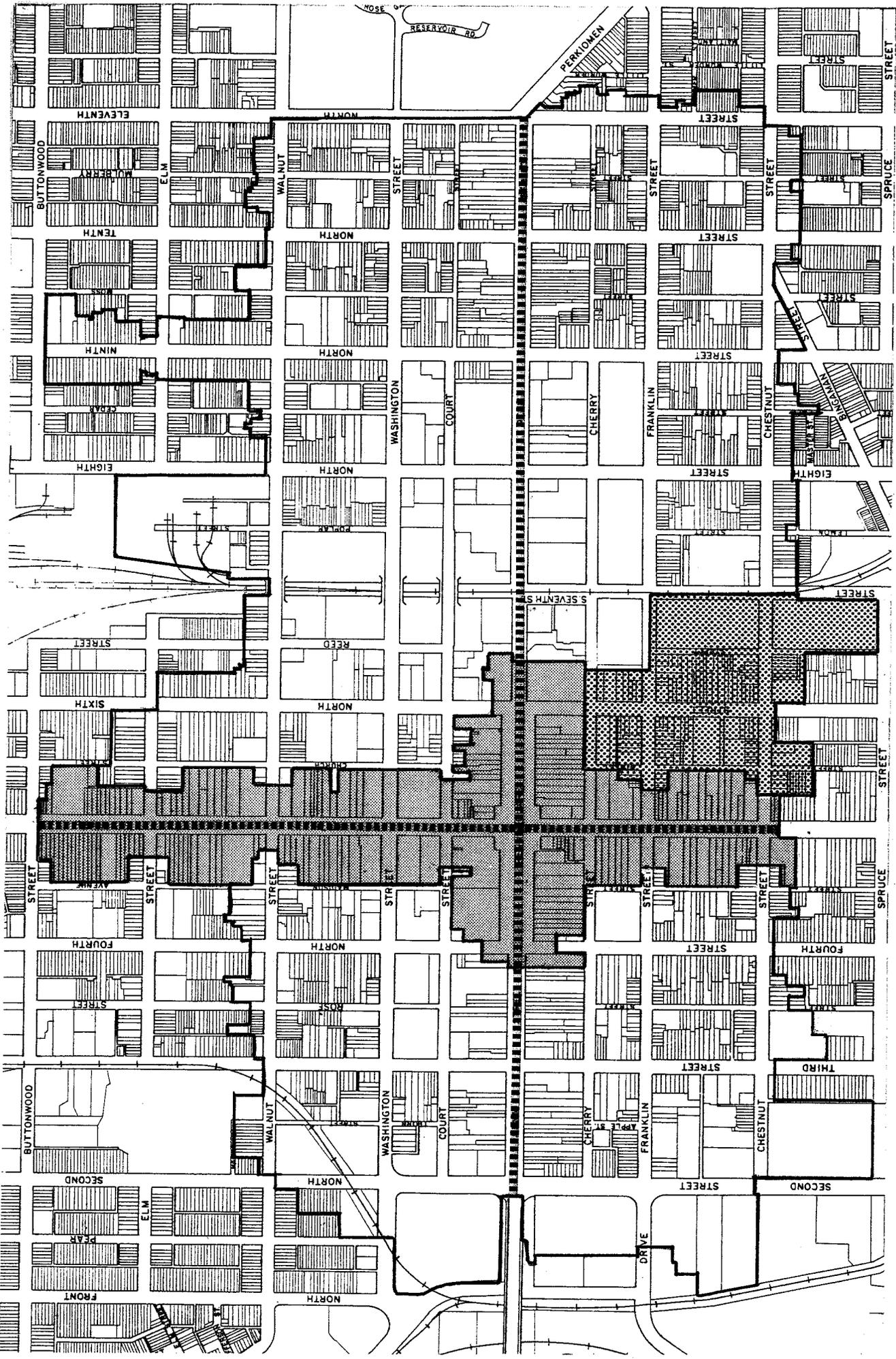
Disclaimer: The City of Reading shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use. This is not a legal document.



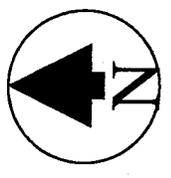
Prepared by The City of Reading IT Division May 2009

Legend	
	Parcels
	City Boundary Line
	Railroads
	Bridges
	Water Features

Historic Districts	
	Callowhill District
	Centre Park District
	Penn's Common District
	Prince District

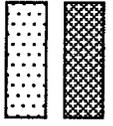


FAÇADE IMPROVEMENT PROJECT AREA



CALLOWHILL HISTORICAL DISTRICT

PRINCE HISTORICAL DISTRICT



PROJECT BOUNDARY

PRIORITY STREETS
(Properties Fronting These Streets Will Be Given Priority Under The Façade Program)

